IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.39817 of 2008
PRABHAT KUMAR CHAUBEY
Versus
STATE OF BIHAR & ANR
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2. 16.09.2008 This Modification Application has been filed on behalf of the petitioner, Prabhat Kumar Chaubey for modifying the order dated **26.08.2008** passed in Cr. Misc. No. **12784 of 2008**.

Counsel for the petitioner submits that the petitioner and the complainant have compromised their dispute, as such , they are ready to withdraw their cases pending in the courts below. By mistake, in the order it has been stated that "the petitioner wants to withdraw this application" There is apprehension of petitioner's arrest and so the petitioner has filed this application.

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Considering the fact, the order dated **26.08.2008** is modified to the following extent also. It should be read as follows:

"the petitioner and the complainant have compromised their dispute. A compromise petition has been filed in the court below. The O.P. No. 2 Rekha Chaubey is started living with her husband."

Considering the fact, petitioner, above-named is directed to be released on anticipatory bail in connection with Complaint Case No. 806C of 2001 on his surrender

within four weeks from today and on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of CJM, Sitamarhi.

Petitioner's name has not correctly been mentioned in the Heading of the order dated 26.08.2008. It is also modified to the extent that "Prabhat Kumar" should be read as "Prabhat Kumar Chaubey".

Let the order be communicated through fax at the cost of the petitioner.

AKV/ **(Mridula Mishra,J.)**

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